

Remarks

Reconsideration of this Application is respectfully requested.

Claims 4-8 and 10-24 are pending in the application, with claims 19, 21 and 24 being the independent claims. Claims 19-23 have been withdrawn from consideration. Claims 1-3 and 9 have been canceled. New claim 24 has been added

Claims 1-13, 17 and 18 stand rejected under 35 U.S.C. §103 as being unpatentable over US Patent No. 3,974,007 to Greve in view of US Patent No. 5,194,115 to Ramspeck et al. (“Ramspeck”).

Claim 9 has been rewritten in independent form as new claim 24 and includes all of the features of the independent claim 1 and intervening claims 2 and 3. New claim 24 recites “wherein said flow directing step includes causing the fluid substance to flow along a preselected path prior to and during issuance of the stream from the orifice of the nozzle.” Although Ramspeck is cited as teaching this feature, reconsideration is respectfully requested. Ramspeck fails to teach that the fluid substance (air) flows along a path prior to issuance of the stream from the orifice. As such, claim 24 distinguishes over the cited art.

Claims 4-8, 10-13, 17 and 18 depend from claim 24 and are allowable as depending from an allowable claim.

It is also respectfully submitted that claims 10 and 11 further distinguish over Greve and/or Ramspeck. Claim 10 recites “pumping the flowable substance from a source to the orifice

of the nozzle at a variable pressure and providing an open-and-shut closure for the orifice”.

Although Ramspeck is cited, Ramspeck fails to teach pumping at a variable pressure.

Claim 11 recites “said pumping step includes raising the pressure of the flowable substance to a predetermined value prior to opening of the orifice.” Although the Action states that this would be inherent in the system, it would not necessarily so. It is conceivable that the flowable substance can be pressurized after the orifice is opened and it is further conceivable that the flowable substance is not pressurized to a predetermined value. These possibilities render a rejection based on inherency improper.

Claim 12 further distinguishes over the cited art by reciting that the opening takes place 0.5 seconds subsequent to the raising of the pressure of flowable substance to said predetermined value. The Action states that it would be obvious to determine this “optimum” value. It is respectfully submitted that the timing value is only one portion of claim 12 and the claim further relates the value to the pressurization of the substance. These steps would not be obvious to one of ordinary skill in the art and are more than mere optimization.

Claims 14-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Greve in view of Ramspeck and US Patent No. 4,987,854 to Hall. Claims 14-16 depend from claim 25. Hall fails to cure the deficiency in the rejection of claim 25. Accordingly, claims 14-16 are allowable as depending from an allowable claim. Furthermore, it is respectfully submitted that the “optimization” recited in claim 16 requires more than routine skill in the art.

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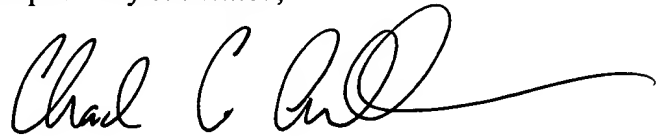
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

A Notice of Allowance with claims 4-8 and 10-24 is respectfully requested.

Respectfully submitted,

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